

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>LAMAR CASLEBERRY,</b>	:	
	:	
<b>Plaintiff</b>	:	
	:	<b>CASE: 5:23-CV-00017-MTT-CHW</b>
<b>VS.</b>	:	
	:	
<b>DOCTOR EKWINIFE, <i>et al.</i>,</b>	:	
	:	<b>PROCEEDINGS UNDER 42 U.S.C. §1983</b>
<b>Defendants</b>	:	<b>BEFORE THE U. S. MAGISTRATE JUDGE</b>

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**ORDER**

*Pro se* Plaintiff Lamar Deshawn Casleberry, a prisoner at Baldwin State Prison in Hardwick, Georgia, has now filed a “Formal Letter/Request from the Courts,” which has been docketed as a “Motion for the Court to refer the case to the Supreme Court.” ECF No 16. In this motion, Plaintiff requests, in part, that the Court “refer his case and merits presented in his objection to the Supreme Court”. *Id.* at 3. To the extent that Plaintiff seeks to have his case “refer[red]” to the Supreme Court, this motion is **DENIED**.

Plaintiff has yet to comply with this Court’s previous orders to recast his complaint and to pay the partial initial filing fee. *See* ECF Nos. 9, 13, and 15. If Plaintiff wishes to maintain this civil action, then he must pay the partial initial filing fee as ordered and statutorily required. ECF No. 15. That fee must be paid by April 7, 2023. *See id.*

Furthermore, Plaintiff has now twice been ordered to submit a recast complaint on the Court’s standard form and has been provided instructions on how to do so. *See* ECF Nos. 9 and 13. Plaintiff’s most recent deadline for filing his recast complaint was set as

March 17, 2023. *See* ECF No. 13. Plaintiff has yet to submit his recast complaint as ordered. This complaint is subject to dismissal if Plaintiff continues to disregard the orders of the Court.

In the “Formal Letter/Request from the Courts,” Plaintiff argues that he may not wish to proceed with his civil action. ECF No. 16 at 2-3. Specifically, Plaintiff states that he “does not want to proceed and have complaint dismissed for failure to comply with a court order AND owe \$402.00 to the courts”. *Id.* at 2 (emphasis from original). Accordingly, if Plaintiff indeed wishes to dismiss this civil action, he should immediately notify the Court, and the action will be dismissed without prejudice.

In the meantime, there shall be NO SERVICE of process upon any Defendant until an order of the Court that such service is warranted. Plaintiff must also immediately notify the Court of any change in his address.

**SO ORDERED**, this 4th day of April, 2023.

s/ Charles H. Weigle  
Charles H. Weigle  
United States Magistrate Judge